

**Senate File 2066 - Introduced**

SENATE FILE 2066

BY BEALL

**A BILL FOR**

1 An Act relating to the award of expert witness fees in civil  
2 cases and certain criminal cases.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 622.72, Code 2011, is amended to read as  
2 follows:

3 **622.72 Expert witnesses — fee.**

4 Witnesses called to testify only to an opinion founded on  
5 special study or experience in any branch of science, or to  
6 make scientific or professional examinations and state the  
7 result thereof, shall receive additional compensation, to be  
8 fixed by the court, with reference to the value of the time  
9 employed, and the degree of learning or skill required; ~~but~~  
10 ~~such additional compensation shall not exceed one hundred~~  
11 ~~fifty dollars per day while so employed,~~ and the reasonable  
12 and customary fees charged by similarly situated experts for  
13 similar services.

14 EXPLANATION

15 Current law provides that a court shall determine the amount  
16 of fees to be awarded to an expert witness in a civil case  
17 and in a criminal case except for an indigent criminal case  
18 (Code section 815.5), upon consideration of the value of the  
19 expert witness's time and degree of learning or skill required,  
20 but such fees shall not exceed \$150 per expert per day. This  
21 bill eliminates this limitation on the fee award and directs  
22 the court to also consider the reasonable and customary fees  
23 charged by similarly situated experts for similar services.